

DOCKET NO: 339699US28

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
DIETER S. GAUBATZ, ET AL. : EXAMINER: SHRESTHA, B. K.
SERIAL NO: 10/816,120 :
FILED: APRIL 1, 2004 : GROUP ART UNIT: 3691
FOR: SYSTEM AND METHOD FOR :
EVALUATING PREFERRED RISK DEFINITIONS

STATEMENT ON SUBSTANCE OF INTERVIEW UNDER M.P.E.P. § 713.04

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

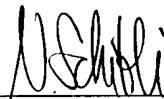
SIR:

Further to a telephonic discussion between Examiner Bijendra Shrestha, Art Unit 3691, and Applicants' representative Nikolaus P. Schibli, Ph.D., Reg. No. 56,994, on July 29, 2010, the following statements are made of record, as required by M.P.E.P. § 713.04

Examiner Shrestha said that the features of dependent Claims 6 and 26 appeared allowable, but would have to be incorporated into independent Claims 1 and 21, respectively. Moreover, he said that independent Claim 21 could be rejected under 35 U.S.C. § 112, first paragraph, as not being properly supported by the specification as originally filed, and suggested some rewording of Claim 21 that would be properly supported by the specification, for example as discussed on page 14. He also said that system Claims 44-46 and 49 should be cancelled, because they are very similar to the features of independent Claim 21, and claims that depend therefrom.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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